

June 8, 2015

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**CALL TO ORDER**

Mayor Keenan called the Monday, June 8, 2015 Regular Meeting of Dublin City Council to order at 6:00 p.m. at the Dublin Municipal Building.  
Members present were Mayor Keenan, Vice Mayor Gerber, Ms. Chinnici-Zuercher, Mr. Peterson and Mr. Reiner. (Mr. Lecklider arrived at 6:05 p.m.)

**ADJOURNMENT TO EXECUTIVE SESSION**

Mayor Keenan moved to adjourn to executive session to discuss the purchase of property for public purposes, for conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action, and for personnel matters related to the appointment of a public employee.  
Vice Mayor Gerber seconded the motion.  
Vote on the motion: Ms. Chinnici-Zuercher, yes; Vice Mayor Gerber, yes; Mayor Keenan, yes; Ms. Salay, yes; Mr. Peterson, yes; Mr. Reiner, yes.  
(Mr. Lecklider joined the session in progress.)

The meeting was reconvened at 7:20 p.m.

**ROLL CALL**

Members present were Mayor Keenan, Vice Mayor Gerber, Ms. Chinnici-Zuercher, Mr. Lecklider, Mr. Peterson, Mr. Reiner and Ms. Salay.

Staff members present were Mr. McDaniel, Ms. Crandall, Mr. Smith, Ms. Readler, Ms. Mumma, Mr. Foegler, Ms. O'Callaghan, Chief von Eckartsberg, Mr. Earman, Mr. Hahn, Ms. Puskarcik, Mr. Hammersmith, Ms. Gilger, Mr. Gunderman, Ms. Husak, Ms. Downie, Mr. Gettman, Ms. Wawszkiewicz, Ms. LeRoy, Mr. Kridler and Mr. Stanford.

**PLEDGE OF ALLEGIANCE**

Vice Mayor Gerber led the Pledge of Allegiance.

**SPECIAL RECOGNITION**

- Recognition of Citizen for Life Saving Rescue

Mayor Keenan invited Chief von Eckartsberg forward to introduce those being recognized. Chief von Eckartsberg stated that in early May, an incident occurred in the Bridge and High Street area where a driver who was stopped for the traffic signal experienced full cardiac arrest. Dublin community resident Julie Combs immediately responded , together with another motorist, and began CPR on the victim. Ms. Combs is a nurse, and the efforts were successful in sustaining him until the Washington Township medics arrived on the scene. The victim was transported to the hospital and was released this week. He commended Ms. Combs for her actions.  
Mayor Keenan read a proclamation recognizing Ms. Combs and presented it to her. Chief von Eckartsberg also acknowledged two of the Washington Township Fire and EMS staff present tonight – Jim Cullison and Gene Miller -- who responded to the scene.

**CITIZEN COMMENTS**

There were no comments from citizens.

**CONSENT AGENDA**

Vice Mayor Gerber moved approval of the actions listed for the four items on the Consent Agenda.  
Ms. Chinnici-Zuercher seconded the motion.  
Vote on the motion: Ms. Salay, yes; Mr. Lecklider, yes; Mr. Reiner, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Vice Mayor Gerber, yes; Mr. Peterson, yes.

- Approval of 5-18-15 Regular Council Meeting Minutes

- **Resolution 49-15 (Introduction/vote)**  
Accepting the Lowest and Best Bid for the Donegal Cliffs Playground Rehabilitation Project.
- **Resolution 50-15 (Introduction/vote)**  
Authorizing the City Manager to Enter into a Letter of Agreement with Ohio Power Company, an Ohio Corporation, ("AEP Ohio") to Relocate Existing AEP Ohio Overhead Facilities Along Riverside Drive, Over the Scioto River, in the Dale Drive Area and Around the SR 161 and Dale Drive Intersection.
- Approval of Preliminary and Final Plats – NE Quad, Subarea 5B – Sawmill-Emerald Subdivision (Case 15-022FDP/CU/PP/FP)

Mayor Keenan moved to waive the Rules of Order in order to address Ordinances 35-15 and 36-15 together.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Ms. Salay, yes; Mr. Lecklider, yes; Mr. Reiner, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes.

Vice Mayor Gerber recused himself from consideration of Ordinances 35-15, 36-15 and the preliminary plat due to his conflict as noted at the last hearing.

**SECOND READING/PUBLIC HEARING – ORDINANCES**

**Ordinance 35-15**

**Rezoning Approximately 152.2 Acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the Potential Development of the Site with up to 185 Single-Family Lots and Approximately 76 Acres of Open Space on the West Side of Avery Road, North of the Intersection with Belvedere Green Boulevard. (Riviera) (Case #14-068Z/PDP/PP)**

- Preliminary Plat – Riviera (Case 14-068Z/PDP/PP)

**Ordinance 36-15 (Amended)**

**Authorizing the City Manager to Enter into an Infrastructure Agreement with Davidson Phillips for the Riviera Development.**

Ms. Husak provided an update on the proposed development plans.

- Changes have been made to the proposed development plan since first reading, specifically to the lot configuration. At the first reading, Council requested the applicant review Lots 41 and 42 in terms of relocating them for increased tree preservation.
- Questions were raised at first reading regarding the definition of a "Landmark Tree." While the Zoning Code does not have a specific definition, typically those are trees considered to be 24 inches or greater in circumference at breast height. When applicants request waivers from the tree preservation requirements, trees are sometimes permitted to be replaced on a tree-for-tree basis as opposed to an inch-for-inch basis.
- The proposal continues to have 185 single-family lots at a density of 1.22 dwelling units per acre; the proposal still meets a majority, if not all of the requirements of the conservation design resolution, including 50 percent open space. There are 13 reserves consisting of a total of 76 acres of open space provided in the development plan.
- There are three subareas proposed: Subarea A has the largest lots; Subarea B has more typical sized single-family lots; Subarea C has a development pattern more geared to empty nester homeowners, with less maintenance and fewer stairs.
- All of the open spaces provided within the development are to be owned by the City of Dublin. Approximately 56 acres is to be maintained by the City. Parks staff reviewed what level of maintenance responsibility will exist for the 25 acres intended to be maintained by the HOA. This is estimated at \$325/year for each of the homeowners within the development. She shared a breakdown of the maintenance responsibilities for each of the reserves.
- This proposal provides open space connections to open space and parkland to the south, including Avery Park, Westbury Park, Bishop's Run Park; to the Metro Park

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areas on the south side of Brand Road; connection along the stream corridor and Shannon Glen Park through what is proposed to be open space areas within the Riviera development; and to the northwest and Tartan West.

Staff is requesting three actions of Council tonight:

1. A vote on Ordinance 35-15, which includes 13 conditions from the Planning and Zoning Commission. One of the conditions was the elimination of asphalt as a permitted driveway material. However, the applicant's submission includes asphalt as a permitted material for driveways. Should Council approve the applicant's plan as submitted, this would be a change to the P&Z recommendation regarding this item. The memo includes research conducted by staff that indicates one development exists in the City where asphalt is eliminated as a permitted driveway material. All other developments regulated by the City in terms of driveway material defer to the Zoning Code, which permits asphalt.
2. A vote on the preliminary plat.
3. A vote on Ordinance 36-15, the infrastructure agreement related to the development. Staff is recommending approval of this ordinance.

She noted that Engineering and Public Works staff are present to respond to questions as well.

Mr. Lecklider asked if there are recent neighborhoods approved where asphalt was utilized, aside from the examples in the staff report.

Ms. Husak responded that staff found only a Deer Run subarea that eliminated asphalt as a permitted driveway material. All other recent and older PUDs approved through the City allowed asphalt as a driveway material, including such PUDs as Tartan West, Tartan Ridge, Oak Park, Celtic Crossing, Wellington Place, Wellington Reserve, Bishop's Crossing and Post Preserve. She added that staff does not have information about whether these subdivisions have HOA deed restrictions regarding this matter.

Mr. Lecklider stated that he is familiar with these neighborhoods but does not observe asphalt driveways on the lots. Perhaps it is an option for the homeowner, but he believes that the majority of homeowners do not desire an asphalt driveway. Staff recommended no asphalt driveways and the Commission supported this recommendation. He would be opposed to allowing asphalt driveways.

Ms. Salay commented that the asphalt driveway issue came up several times, and the Commission did not approve it. This was an important item to the Commission. This condition was included by the Commission from the outset of review of this development plan.

Mr. Peterson stated that the memo references Council's concern about tree preservation related to Lots 41 and 42 as well as architectural standards. Has anything changed in terms of architectural standards since the last hearing?

Ms. Husak stated that the applicant can speak to this, but only two significant changes were made regarding the architectural standards: the increase of the width of the walkways to the houses to four feet; and asphalt material for driveways was included in the text submitted by the applicant. She acknowledged that the Commission was opposed to asphalt being included. There were no other changes made.

Mr. Peterson asked about the tree preservation issue raised at the last hearing. How many trees are still preserved and how many are not with the new lot configuration? The memo indicates the new configuration more effectively preserves the significant trees.

Ms. Husak responded there were one or two trees of significant size that were preserved as part of the relocation of those lots.

Mayor Keenan noted that he recalls that involved Lot 41.

Ms. Salay added that there were three trees on that lot in total, and one was extremely large. All three are now to be preserved with the new configuration.

Ms. Salay asked Ms. Readler about the open space maintenance, in follow-up to the Public Services Committee meeting about City-owned and City-maintained open space versus City-owned but HOA-maintained open space. What scenario would result if -- in keeping



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with the theme of public maintenance for public open space – the open space to be maintained by the HOA were owned by the HOA and not the City.

Ms. Readler responded that the text would simply be changed in the rezoning. It would be conveyed through the deed restrictions.

Ms. Salay clarified that there are open spaces that will be owned by the City, yet privately maintained. Rather than the City owning those spaces, the developer would convey those to the HOA that would own and maintain them. This would result in the City maintenance of the City-owned land, and the HOA maintaining the land they own.

Mayor Keenan asked if this would result in tax liability issues for the HOA.

Ms. Readler responded affirmatively, as the City is exempt from taxation for the land it owns.

Mayor Keenan stated this acreage is large and could result in significant property tax liability.

Ms. Husak noted the portion under discussion is 25 acres.

Mr. Lecklider asked if a decision on this portion could be deferred until Council ultimately decides the issue under review by the Public Services Committee.

Ms. Salay stated that her reason for raising this issue is for tonight's purposes, if the rezoning is to be approved.

Ms. Readler clarified that the current text divides the open space ownership between the City and the HOA. It is possible to include a condition, if the developer agrees to it, that the City is reviewing this policy and if there is a change to it, the text will accommodate that revision. She is not certain if the developer is amenable to a condition that would maintain that flexibility on the open space ownership.

Ms. Chinnici-Zuercher noted that staff had indicated that the per household cost would be \$325 for the maintenance. Is that a cost estimated for buildout? If so, until buildout, the HOA would have a much higher obligation per household.

Ms. Husak responded that at a certain percentage of buildout, the HOA would be responsible for the maintenance. It is generally at the 75-80 percent of buildout when that turnover takes place.

Ms. Salay asked how that is governed – is it a developer decision or City regulation?

Ms. Readler responded that the conveyance would be a deed restriction and controlled by the developer. The City does have approval rights of the declarations and reviews them before filed.

Ms. Salay asked how this has typically occurred in other neighborhoods.

Mr. Ruma responded that the developer pays all expenses for maintaining the site on a pro rata basis. If there are 185 lots and 10 are sold, the developer pays the maintenance for 175 lots and the other homeowners pay for only 10. The developer pays the costs until all of the houses are sold. The declaration and bylaws of the HOA generally provide that when 75 percent of the lots have been transferred, those homeowners then govern the Association. Up until that time, the developer does that.

Ms. Chinnici-Zuercher followed up regarding Ms. Salay's question about the open space being owned by the homeowners. She would also have concern about the Association deciding to change the use of that open space – would they have to pursue a rezoning?

Ms. Readler responded that for this open space, it is specifically delineated in the text in terms of permitted uses in each reserve. They would not be able to develop the land for houses without pursuing a rezoning.

Mayor Keenan commented in regard to the tax liability for an Association owning the open space. His estimate is that at \$100,000 per acre, the costs would be \$106 per household per year for taxes.

Mr. Reiner questions the computation for \$325/year HOA dues. He reviewed the Tartan West association dues and they are similar to those for the Muirfield Association at \$850 annually for 376 homes for a total of \$319,600. Muirfield Association dues are \$861 per

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household. The utility costs for operating pumps for this development is not accurate, based on his experience. Their total support for open space maintenance is \$240,500 in the cost estimates provided.

Ms. Husak stated that one assumption was there would be no stormwater functioning ponds within any of the HOA-maintained open spaces. There is one pond in a reserve along the northern boundary, but is a natural occurring water feature and would not need aerators to maintain it. Staff's assumption was the HOA would handle the mowing and turf maintenance for the open space, as well as the entry feature along Avery Road. The cost for this is estimated at \$60,000.

Mr. Reiner responded that he views this as infrastructure costs that the taxpayers may be liable for in terms of maintaining the other ponds.

Mr. Peterson stated there has been a distinction between neighborhood parks and community parks. Is there anything that will indicate to the citizens that these reserves are community parks or neighborhood parks? It seems that if the City is owning and maintaining much of this, it should be treated more as a community park.

Ms. Husak responded that in the assumptions of what is to be maintained by the City, that definitely is taken into account.

Mr. Hahn noted that when a differentiation is made between a neighborhood and a community park, it relates to how the parkland is programmed or not programmed. For example, in classifying open space as a neighborhood park, there are no reservations and no rentals; the community parks are the opposite, with shelter houses that can be reserved. Another difference is that within the neighborhood setting, active tennis or basketball courts are not lighted. However, in a designated community park, these courts are lighted. Within the Riviera subdivision, whether labeled a neighborhood park, a community park, or simply open space, the general public is welcome. The key differences are in how the land mass is treated and programmed. With a park such as Amberleigh and its access to the river and a pavilion to house larger social events, it is clearly a community park.

Mayor Keenan invited public testimony.

Michael Mess, 8823 Vineyard Haven Drive, Dublin stated that he lives adjacent to the north side of the proposed Riviera development. He is speaking on behalf of the coalition of nine homeowner associations, representing more than 3,800 households in Dublin. The purpose of their presentation tonight is to reiterate and summarize their position.

1. Their goal is that Riviera golf course remains as greenspace. They believe the use of Riviera for parkland or a nature preserve is the highest and best use of the land for the community.
2. They urge Council to give serious consideration to the options outlined in the last presentation before Council in order to keep Riviera green.
3. However, if Council does decide to accept development of Riviera, Council should require that it is undertaken in a manner to make it the "crowning jewel" of high quality housing and development in Dublin. Allowing Riviera to be developed as another regular, single-family housing development does not adequately compensate for the loss of the last greenspace in northwest Dublin. The highest standards possible must be imposed and the use of conservation design should be maximized to retain greenspace and lower the density of the development.
4. The proposed development plan presented on June 8 has come a long way from the initial proposal by the developer. However, it still falls short of ensuring that the Riviera development is the showcase of the Dublin community.
5. There are three significant shortfalls in the proposed development:
  - a. Keeping lots 41 and 42 in the development plan, which has been partially addressed in the revision;
  - b. Not encumbering the developer to fund the Hyland-Croy connector that will be needed in the future;
  - c. Not putting in place a process that will ensure the trees and other natural features of the property are preserved and not destroyed in the development process.

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He noted that at the last discussion, another concern was raised – the need for quality standards for this development. Specifically, this relates to the cost of maintaining greenspace. The City is being asked to take responsibility for two-thirds of the cost of this maintenance. The coalition believes the cost estimate for this maintenance will be in the \$250-300,000 per year range for the City and homeowners, with the City picking up most of that cost. If the City is willing to incur the significant maintenance costs for the benefit of the developer and the future property owners, the coalition then believes that high development standards should be required. Without holding Riviera development to the highest standard, what will preclude other developments that already exist from making the same request for a subsidy from the City?

In closing, as Council considers the proposed development plan for Riviera, the coalition again asks if the proposed development plan is really the highest and best use of such land.

1. If Council wants to approve the Riviera development plan, including authorizing significant City expenses for maintaining the greenspace, the coalition urges that the architectural details as presented initially not be downgraded. For example, the design standards as modified to allow blacktop drives should be excluded and concrete drives should be maintained. The coalition believes that 183 lots are sufficient on this land – not 185 as proposed.
2. The developer should be encumbered in some manner to require funding of the cost of the Hyland-Croy connector.
3. The City should require use of an outside arborist to ensure compliance with the conservation design plan.

They appreciate the opportunity to provide their input.

Mayor Keenan invited the applicant's representative to comment.

Jeffrey Brown, Partner, Smith and Hale noted that:

1. It is important to remember where this plan began – a golf facility in substantial financial distress. The property is already zoned for residential development of large lots. The developer has worked with staff and the neighborhoods; the development incorporates a new land planning tool for Dublin of conservation design; the result is a development plan with fewer units and more open space. He is surprised that having more open space would become a topic of concern.
2. There were crowds at the Planning and Zoning Commission meetings at the outset of this process. Through the various meetings held and working with staff and the neighborhoods in the process, they are now at a place where staff has recommended approval; the Commission has recommended approval; and there are no longer crowds of citizens in attendance at meetings.
3. In terms of whether the process worked for the City, the neighborhood and the developer, he believes it has worked. The plan at this point is a better one than they began with – a much better layout, more usable open space, and open space that contributes to this community being created as well as connects the various communities around Riviera.
4. The density as proposed is below all developments surrounding it. This subdivision has unique design standards, with 15 pages of the text devoted to them.
5. Their location is unique because a student who lives in this development will be able to walk to the elementary, middle and high schools.
6. In regard to the blacktop issue, they are requesting the same material allowed in all other City neighborhoods except one. They simply want this option for future homeowners.
7. Regarding the Hyland-Croy connector, Mr. Ruma has indicated that the development does not need this connection. However, staff views this from an engineering and transportation standpoint and believes this connection is important for the overall community – not just the subdivision. They have agreed to provide the right-of-way need for the connection, including right-of-way on the land that is not part of this rezoning. They have also agreed to build a stub street so that in the future, if the connection is made, property owners will be aware of this potential in advance.



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8. Moreover, in a way, the development is paying for this connection with the tax increment financing incentive that will be funded by the value of the homes built. Therefore, they will be paying for that road connection via the TIF, if and when the City wants to make the connection.

They believe this is a good development for the City, for the neighborhood and for the property owner. The current golf course economics in Central Ohio are challenging, and this is a win/win for all who have participated in the process.

Mr. Ruma and land planner/architect Greg Chillog are present to respond to any questions.

Charles Ruma, Davidson Phillips, applicant commented:

1. Regarding asphalt driveways, every community around this proposed development has asphalt driveways. In Belvedere and Shannon Glen, 68 percent of the homes have asphalt driveways; 38 percent have concrete. In New Albany, concrete is banned as a driveway material within their standards. If Council requires concrete and does not want the citizens to have the option of asphalt, he will accept that. However, most people who are given the option of a concrete driveway or an upgraded appliance would not select the concrete drive.
2. In terms of the homeowner association, when a homeowner moves in, there is a \$500 fee paid upfront. The homeowner association dues are approximately \$200/quarter. This is similar to what exists in surrounding neighborhoods. This will be necessary to maintain the HOA-maintained open spaces, including the entryway. The large mass of open space of 30 acres will be owned and maintained by the City. The closest example of a similar size of open space that he is aware of is Goodale Park in Columbus, which is a little over 30 acres. This is a sizable piece of land.
3. He is not certain of the meaning of "showcase" or "crown jewel" – this is a piece of land among existing housing, an infill piece. It has been owned by the same owner for the past 50 years. As such, they should be treated fairly and treated the same as the property owners all around them in terms of development of their property. He does not understand why higher standards must be imposed on this property owner. The landowners have planted over 900 trees on the property over the past 50 years and should not be penalized. The developer will produce a high quality product, consistent with the design of homes adjacent to it. Their land plan is the best plan he has assembled, and he acknowledged staff's support in developing this conservation design plan.
4. He is hoping this appearance is his "swan song" and that he does not have to return again! He urged Council to approve this rezoning.

Mr. Reiner asked Mr. Ruma if he will develop the property himself, or will he sell the lots to others to develop, if this rezoning is approved tonight.

Mr. Ruma responded that the land will be developed by him and M.I. Homes. His son, Charles, will likely build a significant portion of the 100-foot lots. He believes the 2017 Parade of Homes will take place on a good portion of those lots.

Mr. Peterson commented that he agrees the project has come a long way and everyone is pleased with the process, which resulted in a much better project – at least in terms of what the neighborhood looks like. His issue relates to the infrastructure agreement. His questions are:

1. The memo indicates that for the homeowners association to maintain its portion of the open space it would cost approximately \$60,000/year or \$325 per household. However, Mr. Ruma indicated the HOA dues would be \$200/quarter, which translates to \$800/year. He asked for clarification.

Mr. Ruma responded that what generally occurs is the HOA begins to add plantings, holiday decorations, more landscaping, park benches, etc., and there is not a source of funds for these additional items. He pointed out that the Wedgewood development entrances are all well maintained with beautiful plantings. There is more involved for the association than simply cutting grass. The estimate provided is for basic maintenance/mowing – not for the other items.

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Mr. Peterson stated that Mr. Ruma therefore expects the HOA fees to be more along the lines of Muirfield at \$825/annually.

Mr. Ruma responded affirmatively.

Mr. Peterson continued:

2. His other issue is with the connector street. There is a chart in the infrastructure agreement that shows the percentage increase of traffic on other projects that the Riviera development would bring. The developer contribution is equitably adjusted to reflect what impact the development has.

(Mr. Ruma responded that the formula is based on the traffic impact study.)

Mr. Peterson asked why that same logic is not applied to the connector street. The overwhelming majority of users of this connector will be people coming from this development. Why would the exact same philosophy not be used to allocate the expense of the road as is being used for the impact on other projects?

Mr. Ruma responded that the connector road is not necessary for this community. The traffic study indicates that the peak evening hour would add 27 more cars to the Firenze Drive location. That is the only major increase. It is hard to justify building 2,000 feet of pavement for 27 cars in the peak hour. Further, the City Engineer desires to have an additional cross traffic route east to west to filter traffic out of Muirfield and places to the east to access the freeway. It makes common sense to build the road for other reasons, but not to serve the subdivision. The road will be paid for by a TIF, and the values are created by the houses built on this property. In essence, the subdivision pays for the connector in any case.

Mayor Keenan asked Mr. McDaniel to comment on the need for this connector.

Mr. McDaniel stated that the City looked at this as an opportunity to make the connection from Hyland-Croy east to west. Regarding the issue of who should fund the connector and why, he clarified that suggesting a TIF for this development is not an incentive for houses. If the connector road is built to distribute traffic east to west, and to improve public safety with better access for Police and Fire, then the question becomes how to fund it. There are two options: from income tax as part of the capital budget or by leveraging this development with a TIF, in essence allowing the new homes to fund this connector. He and the Finance Director reviewed this option and believe it is a good option to pay for the connector. This TIF would not impact the Schools; it would be a 25 percent TIF. The TIF would have some impact on the Township Fire Department initially, but at full buildout, the TIF would yield \$492,000. Under the assumption that it costs \$410 per capita to provide fire and EMS service, at buildout, that cost would be approximately \$303,000. There is a net "profit" to the township; the development will be built out over time and will not require service increases in the short term. That was the rationale in proposing a TIF, if Council believes a road connector is appropriate in this location. Another option would be not to build the connector, or build it at a later date. However, once residents move into their homes, it may be more difficult to then install a roadway. Staff does not recommend this option.

Mr. Lecklider stated that his recollection is that in the Community Plan update, early iterations for the Riviera property showed a connector road to Hyland-Croy and the land use of the property as future residential. That was conceptual, but his recollection is that the Riviera Golf Club leadership did not like this concept and lobbied City Council to amend that conceptual view. He raises this because both staff and some, if not all Council members recognized the potential value in a future connector road to Hyland-Croy. As Mr. McDaniel has indicated, this concept of a connector road is not being proposed to incentivize housing. The proposal is actually for the housing to fund this connector road that staff and Council to some degree recognized 10 years ago as something needed in the future. It seems a reasonable proposal under the circumstances, that if this rezoning is approved, why not place that financial burden on this development and have the value created by these homes pay for this connector.

He added that he believes a proposal of this style of housing was a good one ten years ago. He is confident that Mr. Ruma intends to build a good product in this development. However, his concern is that Dublin does not need more of this style of housing in the



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community; there is an adequate supply, it is not sustainable long term, and this style of housing is available outside of the community. He recognizes that Mr. Ruma has the option, under the existing zoning to build the same number of homes on this land. Therefore, it is 185 homes in this design or 185 homes in an unimaginative design that does not provide this large amount of open space. For him, the proposed development plan is the better option of the two.

Mayor Keenan noted he agrees with all of Mr. Lecklider's comments. The project has come a long way, and kudos to the Commission and staff for their efforts.

Ms. Chinnici-Zuercher noted she has follow-up questions to the comments made by Mr. Mess. Her understanding is that tree preservation is required with this development, and that staff would ensure trees are not removed or impacted by installing protective fencing. Ms. Husak responded that is correct. At the final development plan stage, a detailed tree preservation plan is required and must be approved by the Commission. That translates into construction plans approved by Planning and Engineering staff, with detailed locations for fencing. In this development, there are also requirements for having inspections done prior to those construction permits being issued for fence locations. Staff will be inspecting fences to ensure they are in the locations as approved by the Commission, and that they are the heavy duty fences required in certain areas.

Ms. Chinnici-Zuercher stated that the concern expressed by some is that trees identified as to be preserved were instead removed at the Wellington Reserve development off of Brand Road. Is that correct?

Ms. Husak noted there was one specific tree intended for preservation that was not saved at the Wellington Reserve development.

Mr. Ruma explained there was one tree they had hoped to save, but was intended to be removed at the outset. A subcontractor installing the storm sewer had to remove the tree, and an adjacent homeowner and the contractor had a dispute. That was later resolved. The issues at Wellington Reserve have been resolved, and an abundance of trees have been planted. With time, the appearance will be much better than when the project began. Many of the trees on the site were dead or diseased. He added that he did not develop this subdivision; it was developed by his son.

Ms. Chinnici-Zuercher commented regarding the development standards issue raised by the coalition. The other neighborhoods believe this will not be of the same quality as their homes. At what point in the process are the development standards provided for review, and won't staff require at a minimum that the standards be consistent with the neighborhoods around them, if not better?

Ms. Husak responded that the requirements provide for high quality residential development. For this development, an architect on staff is checking building permitting against all of the standards required. In addition, the developer has committed to having an architectural review committee.

Ms. Salay stated she concurs with Mr. Lecklider's comments. She has a question about the downstream sewer construction. There has been discussion of construction of a parallel sewer close to the OCLC campus near I-270. Will that construction take place during the project to improve the 270/33 interchange? She would not want to have the same area torn up again for sewer construction.

Mr. Hammersmith responded that the sewer will be programmed in the CIP, and it will not be accessed off 270, so will not be disruptive.

Mayor Keenan asked for an estimate timeframe for this sewer project to begin.

Mr. Hammersmith estimated 3-5 years out, as it is not needed initially.

Mr. Reiner thanked Mr. Ruma, the Commission, staff and the community groups for working on the improvement of this project. He noted that this is one of Mr. Ruma's better projects in terms of the land use portion. He acknowledged that the quality of the houses in Wedgewood are exceptional. However, he is weighing what benefit the Riviera project brings to the City of Dublin. If Council's role is to protect the health, safety and welfare of

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the community, he believes Council would be negligent in approving this project for the following reasons:

1. There is a school overcrowding issue and the City cannot control the zoning of areas outside its boundaries but in the School District such as Jerome Village. The traffic from Jerome Village will impact traffic and the school system.
2. This project is situated on a rural road, and there are no plans and no interest in expanding this road into the future. There is no funding in the five-year CIP for improving this road to accommodate this type of development. He is concerned with additional traffic for residents on this two-lane country road.
3. There was a change made in the Community Plan a few years ago and some Council members serving now were serving at that time. This parcel has been designated as parkland and open space. He respects Mr. Ruma's right to develop this property under the current R-1 zoning. However, given all of the community input, it is important to maintain the integrity of the Community Plan. Many successful people are drawn to Dublin due to the ratio of greenspace to resident. While Dublin does not have a downtown or urban center, there is excellent planning. There is a sense of the quality of life in Dublin, a subliminal thing that has drawn people and businesses to Dublin. It is very important to defend that.
4. The infrastructure expenses to the taxpayer are of concern. The Hyland-Croy connector, the sewer service, maintenance costs of the open space, etc. -- all are needed to subsidize a residential community. He does not recall in his history of service to the City a case where residential development was subsidized to this extent. Typically, the applicant pays for most of the needed improvements.
5. He is concerned about the lack of quality control. The development standards do not have the foundation needed to assure a quality project. Not establishing quality standards is a disservice to the adjacent neighborhoods. He is pleased that the sidewalks will be widened to a typical width. However, there is no real control over issues such as porches. Muirfield Association has an architectural review committee and it is difficult to maintain the quality standards desired. The developer is proposing an architectural review committee, but it is controlled by the developer.
6. Four-sided architecture is very important in the City. He measured the level of improvements on the houses in the last subdivision built, and found them lacking quality.
7. There was no mention of garages, how many are three-car; no mention of brick or masonry or what exactly would occur.
8. Another concern is that developers will build a house with a wooden stair to the backyard versus a patio or deck. There are no standards in the text to regulate these items.
9. Will the electric boxes be screened? Is there a commitment by the developer to take care of this?

He concluded by stating that he cannot envision there is any positive benefit to the citizens from this development – financially or otherwise. He sees the developer as the primary beneficiary of this effort as well as the owner of the property. He would prefer this be developed as an R-1 zoning. If there were issues with the open space maintenance, perhaps the land could have been given to Metro Parks to maintain. He is not likely to support this project.

Mayor Keenan invited the applicant's representative to speak.

Mr. Brown noted that the applicant requests that Council consider the infrastructure agreement prior to the rezoning ordinance. It is important for them to understand the "blueprint" to this project before the rezoning is voted upon.

Mr. Lecklider asked Ms. Husak to respond to Mr. Reiner's comments about architectural standards. He is aware that the developer proposed a three-person review committee and Mr. Reiner has questioned the composition of this.

Ms. Husak responded this is a typical arrangement for all subdivisions. Tartan Ridge may be slightly different, but Ballantrae is set up similarly as are Wellington Reserve, Oak Park

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and Celtic Crossing. It is not unusual to have this makeup of an architectural review committee.

Mr. Lecklider asked her to speak to the larger issues raised about architecture – four sided, what controls exist, how the City will ensure the project is of high quality.

Ms. Husak responded that the controls that exist are the ones that are within the development text, as well as the Zoning Code and the Appearance Code standards. The screening of utilities, for example, is a Code requirement. Regarding the outdoor amenity areas, the City does not currently have such requirements in the Code.

Mayor Keenan asked for the value range of these houses.

Mr. Ruma responded that subarea A will be in the vicinity of \$750,000 to \$1 million.

Mayor Keenan noted that anyone building a home of that price range will have a deck or screened porch and not steps down to the yard from the back of the house.

Mr. Ruma stated that in terms of the composition of the architectural review committee, it will include a registered architect, a registered landscaper and a representative of the developer. This group will not work for the developer; they will be paid for their work by charging the builder \$200 per home for architectural review. It is the same system used in Wedgewood. They committed at the Planning Commission that not every house will be all siding; that a certain percentage of the house will be brick or stone. They have addressed a great number of the items brought up. At the outset, there was a similar list of standards to that of the surrounding neighborhoods, but by the end of the process, there are 15 pages of architectural elements, etc.

Mayor Keenan asked Ms. Readler about the order of the items to be voted upon.

Ms. Readler confirmed that the applicant has requested that Council consider Ord. 36-15, followed by the rezoning, Ord. 35-15. After consideration of these two ordinances, the preliminary plat should be considered.

There was no objection from Council to voting on Ordinance 36-15 prior to Ordinance 35-15.

Vote on Ordinance 36-15: Mayor Keenan, yes; Mr. Peterson, no; Ms. Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Reiner, no; Mr. Lecklider, yes.

Mr. Lecklider asked for clarification regarding the conditions included with Ordinance 35-15, and if the condition that prohibits asphalt is included.

Ms. Husak responded that the 13 conditions recommended by the Commission include one that prohibits asphalt as a driveway material. The ordinance with the 13 conditions recommended by the Commission is what Council is voted upon tonight. The applicant had submitted text for tonight's meeting that included asphalt as a driveway material. But if Council approves the zoning with the 13 conditions of the Commission, the text will need to be revised.

Vote on Ordinance 35-15 (including the 13 P&Z conditions): Mr. Reiner, no; Ms. Salay, yes; Mr. Peterson, yes; Mr. Lecklider, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes.

Ms. Chinnici-Zuercher moved approval of the preliminary plat.

Mr. Lecklider seconded the motion.

Vote on the motion: Mr. Reiner, no; Mr. Lecklider, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Peterson, yes; Ms. Salay, yes.

(At this point, Vice Mayor Gerber returned to Council Chambers.)

## **Ordinance 37-15**

### **Adopting the Proposed Tax Budget for Fiscal Year 2016.**

Ms. Mumma stated that staff is requesting approval of the tax budget for 2016. The details are outlined in the staff memo. The City is required to file this budget by July 15 each year with both Delaware and Franklin counties in order to receive Local Government funds. At this time, the income tax projections have not been revised. A one



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percent increase in expenditures has been included. Both the revenue and expenditure sides will be taken into consideration in preparing for the 2016 operating budget.

Vote on the Ordinance: Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Peterson, yes; Mayor Keenan, yes; Vice Mayor Gerber, yes; Mr. Lecklider, yes.

**INTRODUCTION/FIRST READING – ORDINANCES**

**Ordinance 38-15**

**Authorizing the City Manager to Enter into an Agreement with the Ohio Department of Transportation for the Maintenance of a Bridge on SR 745 over Indian Run, Accept Easements Associated with the Maintenance and Release of Unnecessary Easements and Declaring an Emergency.**

Vice Mayor Gerber introduced the ordinance.

Ms. O'Callaghan stated that Dublin Road is a state route and ODOT currently holds easements relating to the original construction and maintenance of the existing bridge over the Indian Run in this location. As part of the City's purchase of land in 2013 located at 94 and 100 N. High Street, the City committed to work in good faith with ODOT to obtain release of slope easements. The slope easements span two parcels on the east side of N. High Street and were intended to provide ODOT with access to maintain the slope. This slope will no longer exist into the future due to the redevelopment of the adjacent property, as the buildings will be constructed to meet street level in this location. Therefore, the slope easements will no longer be necessary.

Staff worked with ODOT over the past year and ODOT has agreed to transfer the easements in exchange for the City accepting maintenance responsibility for the bridge. This will also allow the City greater flexibility to modify the bridge in the future should the City decide to explore providing a connection between the parklands on both sides of the street. The bridge is currently rated as being in satisfactory condition, based on the last inspection.

Staff recommends Council dispense with the public hearing and adopt Ordinance 38-15 by emergency.

Vice Mayor Gerber moved to dispense with the public hearing and treat as emergency legislation.

Ms. Chinnici-Zuercher seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mr. Lecklider, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes; Mayor Keenan, yes; Ms. Chinnici-Zuercher, yes.

Vote on the Ordinance: Mr. Lecklider, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes; Mayor Keenan, yes.

**Ordinance 39-15**

**Authorizing the Execution of an Infrastructure Agreement to Provide for the Construction of Public Infrastructure Improvements Relating to a Residential Development**

Vice Mayor Gerber introduced the ordinance.

Mr. McDaniel stated this is a continuation of the fulfillment of the development agreement previously approved for the Tuller Flats project. Mr. Foegler is present if there are additional questions.

Mayor Keenan noted there will be a second reading/public hearing at the June 22 Council meeting.

**Ordinance 40-15**

**Authorizing the City Manager to Execute a Real Estate Exchange Agreement and the Necessary Conveyance Documentation to Acquire 1.20 Acres, More or Less, Fee Simple Interest from the Central Ohio Transit Authority ("COTA"), Located Adjacent to and North of Dale Drive in Exchange for 0.815 Acres, More or Less, to be Owned by the City, Located Adjacent to and West of Dale Drive and North of State Route 161 for the Replacement of a COTA Park and Ride, and Declaring an Emergency.**

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Vice Mayor Gerber introduced the ordinance.

Mr. Foegler stated that, as Council is aware, staff has been in negotiations with COTA for the relocation of their existing Park and Ride on Dale Drive. Specifically, their current location is aligned with one of the major east-west routes proposed in the Bridge Street District. John Shields Parkway forms the northern arm of the circulator, and Bridge Park Avenue constitutes the southern arm of this circulator.

In previous actions, Council authorized acquisition of property from Wendy's, which is one leg of this roadway along the southern end of the circulator and also from Dale Holdings, through a condemnation action, when property was purchased for the Dale-Tuller connector to also provide for the extension of that roadway.

The City has been in negotiations with COTA for some period of time and believes agreement has been reached with regard to relocation of that Park and Ride facility.

This ordinance authorizes execution of the agreements to relocate the facility. The current COTA site on Dale Drive would be transferred to the City at no cost, and that transfer is expected to occur before the end of June. As an interim measure, the City would make available to COTA real estate on the former Byers site that is owned by the City for a temporary Park and Ride while the new facility is constructed. The cost for constructing the new facility is approximately \$800-850,000 and would replace the 84 parking spots on a site 300 feet to the east of the current facility.

The authorizations requested are for the real estate exchange, the development of the new facility on the new parcel, and to provide a license agreement that would accommodate the interim use of the former Byers' site for an approximate 12-month period.

He offered to respond to any questions.

Ms. Chinnici-Zuercher noted her questions are not specific to the agreements. She asked why COTA believes they need to own property for this purpose. By agreeing to this arrangement, it seems the City is supporting COTA's policy of owning property. With the change in transportation options that should be occurring in Central Ohio and the dialogue that should be taking place, this may not be reflective of the future of multi-transportation methods that would be accessible to residents.

Mr. Foegler responded that the City administration concurs that would be the preference and has explored options including the use of planned parking structures in the area; ten-year leases on the subject property; and other options. However, those have not been acceptable to COTA in the negotiation process. There is some precedence with COTA having leased properties from churches and other entities for these park and ride facilities, but where they own an existing facility, they believe they needed to own a relocated facility. However, COTA has expressed a willingness to the City Manager that as those opportunities emerge in the future, they will work with the City. In the near term, however, they insisted upon an ownership situation.

Mayor Keenan agreed with Ms. Chinnici-Zuercher, noting that many options were offered to COTA, including space in a future parking garage. He is hopeful that Council at some point can explore an option for a circulator bus in Dublin. He appreciates the hard work of staff on this negotiation.

Ms. Salay asked about the number of spaces to be provided in the relocated Park and Ride.

Mr. Foegler responded that they will have 85 spaces, versus the current 84.

Ms. Salay stated that only one additional space will be provided through this negotiation. This does not seem to reflect good planning for the future by COTA.

Mr. Foegler added that the Planning and Zoning Commission is scheduled to review the conditional use permits for both the interim and proposed permanent site at their June 11 meeting.

There will be a second reading/public hearing at the June 22 Council meeting.

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**INTRODUCTION/PUBLIC HEARING/VOTE - RESOLUTIONS**

**Resolution 51-15**

**Authorizing the City Manager to Provide Maintenance Temporarily at the Village at Coffman Park for a Period of One Year.**

Vice Mayor Gerber introduced the resolution.

Ms. O'Callaghan stated that a request was received last fall from the Village at Coffman Park Condominium Association for partial relief from maintenance responsibilities of public areas within their neighborhood. This development was approved for up to 66 homes; currently, there are 11 homes constructed. The determination of the amount of public land maintenance responsibilities was based upon the full buildout of the 66 homes. Therefore, the current level of maintenance responsibilities per home is far more than was planned at buildout.

Staff reviewed the request and determined that, as a result of this unique situation, the level of Association responsibility for maintenance of public areas is excessive in comparison to others around the City.

Staff recommended that the City temporarily assume maintenance responsibility for the public common area mowing and turf. The Public Services Committee met on May 26 to discuss the broader topic of homeowner association maintenance of public common areas citywide. As part of that Committee meeting, this request was discussed specifically. The Committee concurred with staff's findings and recommends the City temporarily provide the maintenance relief requested for a period of one year, at which time the situation can be re-evaluated.

Staff recommends approval of Resolution 51-15.

Ms. Salay, Public Services Committee Chair stated that a lengthy discussion occurred at the Committee meeting, particularly in regard to this request. It does raise the larger policy question related to buildout and homeowner association responsibilities, as was discussed in tonight's rezoning consideration. The 11 homeowners at the Village at Coffman Park are spending a significant sum to maintain a City-owned park area that is adjacent to their neighborhood. In the interim, the Committee recommends the City assume the maintenance responsibilities of the mowing as outlined in the staff report and resolution for a period of one year.

Mr. Lecklider noted that the resolution indicates the City would provide this temporary maintenance for a one-year period after passage of the resolution. He had proposed that, under the circumstances, the City provide this maintenance through 2016. Otherwise, the same consideration would be needed in June of 2016.

Mayor Keenan asked if the intent is to review this year to year as the buildout occurs.

Ms. Salay stated that is one option. The Committee is looking at a larger solution citywide, but for this neighborhood, she recommends the maintenance be provided through 2016.

Vice Mayor Gerber agreed that this additional time would allow the Committee the opportunity to identify a permanent solution for these situations going forward.

Mr. Lecklider moved to approve Resolution 51-15 with the amendment that the temporary maintenance be provided through December 31, 2016.

Vice Mayor Gerber seconded the motion.

Vote on the Resolution as amended: Ms. Salay, yes; Mr. Lecklider, yes; Vice Mayor Gerber, yes; Mr. Peterson, yes; Mayor Keenan, yes; Mr. Reiner, yes; Ms. Chinnici-Zuercher, yes.

**OTHER**

- Public Art Site Selection

David Guion, Dublin Arts Council Executive Director, presented a brief overview of the City and DAC staff's site selection recommendation for the next Dublin Art in Public Places commission. By creating a collection of public art, the Dublin Art in Public Places goal is to enhance the quality of life for Dublin residents and strengthen the City as a destination for visitors. The collection includes both small and large visual art works acquired through a variety of models in which Dublin Arts Council is actively engaged, including major gifting,



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committee-directed projects, calls for entries in jurying, online programs with an acquisition component, interactive projects, contributions to the City’s interior collection, and projects that define a community initiative. The Dublin Art in Public Places Program began in 1988 and now includes 19 stops on an acclaimed cell phone tour, 13 riverboxes, hybrids of geocaching and letter boxing, with over 170 sculptural elements. A number of criteria were considered in site visits by a committee of City staff and DAC staff.

Mr. Gettman, Contract Specialist, stated that the Site Selection Committee considered the criteria in reviewing the potential sites for the next project. The recommended sites are:

- Holder Wright Farm and Earthworks
- South Fork Indian Run greenway
- Emerald Fields Park
- Woerner Temple greenway

The Holder Wright Farm and Earthworks has a great amount of historic significance, going back over 2,000 years. Much activity will be occurring on this site within the next 18 months. There will be a parking lot, pedestrian bridge, visitor orientation center and restrooms. The farmhouse was completed last year. There will be high visibility from Emerald Parkway Phase 8. There will be substantial educational opportunities due to the historical significance. The Holder Wright Master Plan provides for potential projects such as interpretive paths and a reconstruction of what one of the mounds might have looked like in the past. This is a site with great potential.

The South Fork Indian Run greenway is a large land area that runs along the multi-use path and the South Fork Indian Run. It connects Coffman Park with Indian Run Meadows Park and Red Trabue Arboretum with many ponds and beautiful spaces between. It runs along the back of residential areas, and staff has contacted the HOAs and potentially affected residents.

Emerald Fields Park includes a space set aside within the baseball park that would be a future home for something like public art, an ice cream stand, etc.

The Woerner Temple greenway is a heavily trafficked thoroughfare. There is a potential to connect two of the larger, more well-known pieces – the Dancing Hares at Ballantrae Park and the Field of Corn on Frantz Road.

Mr. Guion stated that all the potential sites have compelling attributes. However, the Committee found one site to be more compelling and recommends the Holder Wright Farm and Earthworks as the site for the next Art in Public Places project. Looking forward, the Committee considers the Bridge Park development to be the next potential location for public art. The Holder Wright site will be highly visible from the newly completed Emerald Parkway, has great historical significance, potential for education, and will contribute positively to Dublin’s sense of place. As part of their site selection process, Committee members notified homeowner association leadership in neighborhoods adjacent to each potential site, personally met with residents adjacent to the location and received positive feedback about the potential for public artwork on the site. The next step in the process would be to convene a jury to evaluate initial and finalist artist applications and proposals, ultimately making an artist recommendation to Council.

Confirmation of the Holder Wright site would include approval for experts in the field of archaeology and/or the study of indigenous peoples, community leaders and artists to be included on the jury. A call for artists for this \$150,000 all-inclusive commission will be distributed nationally with a special emphasis on Ohio artists and indigenous peoples. The project timeline has been drafted to coincide with park creation of the site. They anticipate that the call will be distributed in the third quarter of 2015, and selection of three finalists will take place toward the end of 2015. The finalists will visit the site in the spring of 2016. At that time, a contractor will have been selected and final plans approved for the park construction, allowing the artist to have clear vision of the available sites for public artwork. Following site visits, the finalists will create proposals. These will be presented to

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the community and a jury in the summer of 2016, after which the jury will make a recommendation to Council.

He offered to respond to questions.

Ms. Chinnici-Zuercher stated:

1. She does not support this site recommendation. The City is already investing a large amount of funds to do great things with this site, and she does not believe adding a public art piece is necessary. Public art should be placed in a location that is not already engaging the public for other purposes. At the Woerner Temple site, there are large numbers of people biking, walking through or driving to that area. It would also provide a connection between the Dancing Hares and the Field of Corn. It would be much more visible to many more people than the Holder Wright Farm site. The recommended site would require a particular trip to the Holder Wright Farm and Earthworks to see the art, while on Woerner Temple, it could be seen by those driving by – similar to the Field of Corn.
2. Why was the Post Preserve and Park Place location not presented as a viable option? Not only is there great visibility, but it is the area of the City in which substantial development is occurring with Ohio University and others.

Mr. Gettman responded that the Post Preserve site recommended by the homeowner association board member is a viable option among the broad range of options that exist along the South Fork Indian Run greenway. It was brought to the Committee's attention late in the process, but is definitely a viable option.

Ms. Chinnici-Zuercher inquired if the City maintains a list of 20 potential sites, or is a list created when it is time to do a public art piece?

Mr. Gettman stated that there was such a potential list, but it was narrowed to the four sites that the committee believed best met the selection criteria established a few months ago.

Ms. Salay stated that Mr. Guion indicates that Holder Wright was the Committee's preferred site, but their second was the Bridge Park site. What happens to the other three sites that are being considered?

Mr. Gettman responded that one of these four identified sites would be the location for the upcoming project. The Committee recommendation is that the next Art in Public Places project be located at Bridge Park. That does not mean that the other three sites become any less viable than they are today.

Ms. Chinnici-Zuercher inquired if the metal baseball player structure at the Miracle League Field is a public art piece. How was that piece acquired?

Mr. Gettman responded that the structure was not acquired through the AIPP program; it was a City commission.

Mr. Hahn responded that the piece was actually donated.

Ms. Salay stated that it was donated in honor of the Miracle League athletes.

Ms. Chinnici-Zuercher inquired if the Emerald Fields Park is programmed through DYA.

Mr. Hahn responded that the ball diamond area is programmed by DYA; the northern area is used for lacrosse in the spring and cricket in the fall.

Ms. Chinnici-Zuercher inquired if it is programmed by an organization similar to DYA.

Mr. Hahn responded that cricket is not, but lacrosse is.

Ms. Chinnici-Zuercher suggested that perhaps the City could partner with those organizations financially to have an art piece placed in that park.

Mr. Hahn responded that, more typically, the organizations attempt to work with the City to encourage the City to make such donations to them, but staff can pursue this option as well.

Mr. Keenan stated that he applauds the process that identified four viable sites.

Ms. Salay stated that for her, the Holder Wright Farm and Earthworks is the art in and of itself – the ceremonial grounds. She would prefer to wait until the park is being fully used, to determine if there could be a site on the grounds that is appropriate for public art.

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Mr. Gettman stated that art could provide a strong visual focal point for the Holder Wright site. The park itself is interesting, but there is not necessarily one visual focal point.

Mr. Lecklider stated that he had not previously heard about the Post Preserve and Park Place as a potential location for public art.

Mr. Gettman responded it was brought to his attention early this morning.

Mayor Keenan stated that he prefers the high visibility of sites such as the Field of Corn. He also agrees with others' comments about the Holder Wright location. He recommends that staff takes Council's comments under advisement and bring back another recommendation for consideration.

Vice Mayor Gerber stated that he likes the Woerner Temple site, and items of interest are needed in that location. However, there might be other potential sites yet to be identified. He would expect recommendations for a public art location to come from residents as well as staff. He concurs with the suggestion for staff to review this further and bring back another recommendation.

Mayor Keenan invited public testimony.

Marian Vordermark, 6834 Stonehouse Lane, Dublin stated that she is a homeowner in Post Preserve. She is the individual who contacted Mr. Guion and Mr. Gettman. Because last week was the Tournament, she deferred contacting staff and sending site images until today. Last week, she received Mr. Guion's letter dated June 1 indicating that Dublin Arts Council was considering placing a work of art in the area of Post Preserve. She would like Council to consider the corner of Post Road and Perimeter Drive. The site is owned by the City and lies in front of the park-like setting of the neighborhood reserve. That property will likely always be controlled and maintained by the HOA. In 2013, the City approved a Beautify Your Neighborhood grant to enhance that area to welcome Presidents Cup visitors. It is a high traffic area between the Ohio University Heritage College, Dublin Methodist Hospital, and Nestle, as well as being an entrance to the City. This prominent location would showcase Dublin's dedication to the arts in addition to technology, industry and retail. It would provide a sense of place, with mature trees, ponds and traditional stacked stonewalls – a beautiful environment to place a work of art. She would be pleased to forward the site images.

Mr. Keenan responded that staff is taking the subject under advisement, so the images she submits to staff should be included in an upcoming packet.

- Acceptance of Report of Tax Incentive Review Council

Ms. Mumma stated that she has no presentation other than to reiterate what Ms. Chinnici-Zuercher mentioned at the previous Council meeting. The TIRC committee met on May 5; the report for that meeting and follow-up information was provided in Council packets. Staff requests Council accepts the TIRC meeting minutes and report.

Mr. Reiner moved acceptance of the May 5, 2015 TIRC meeting minutes and report. Vice Mayor Gerber seconded the motion.

Vote on the motion: Ms. Chinnici-Zuercher, yes; Ms. Salay, yes; Mr. Lecklider, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes; Mr. Reiner, yes; Mayor Keenan, yes.

**STAFF COMMENTS**

Mr. McDaniel stated:

1. Ms. Gilger provided information on the 2015 Midwest US-Japan Association Conference, which will be held in Tokyo on September 13-15. Mr. Gracia attended the last conference, which was held in Iowa. Their conferences alternate between the States and Japan every other year. Mr. Gracia will attend the conference in Japan, along with others from the central Ohio area, including staff from Columbus 2020, Jobs Ohio, Union County, City of Marysville and other economic development practitioners. Typically, Marysville and Union County have sent elected officials to



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this conference as well. Outreach efforts are made at the conference as well as with Japanese businesses. If a Council member is interested in attending, staff needs to know so that arrangements can be made soon. He asked if any Council member would like to attend this year.

Ms. Chinnici-Zuercher indicated that she is interesting in participating.

2. Congratulated Mayor Keenan for being appointed by the Governor to the Ohio Collaborative Community-Police Advisory Board. The Board will work on creating standards for hiring and recruiting and local community interaction regarding police matters, including use of force, etc. They will work on creating uniform training standards statewide. Chief von Eckartsberg has been involved, sharing information with this Board.
3. Reported that the maintenance of traffic for the 270/US33 interchange project is going well. Staff appreciates the public's patience and willingness to adjust travel time and routes to accommodate the project safely. The City is working closely with ODOT on the management of traffic through that construction zone. He acknowledged the "Open for Business" campaign undertaken during the 270/US33 interchange and the SR 161/Riverside Drive roundabout and Riverside Drive realignment projects. He thanked City businesses who have taken the initiative to share the City's project information, including brochures and City and ODOT website links. The Dublin Convention and Visitors Bureau and Dublin City Schools are supporting City and ODOT efforts as well. Other businesses are promoting the "Open for Business" campaign.
4. Thanked staff for their efforts during the Memorial Tournament. Everyone did a great job – Police, Community Relations, Economic Development, shuttle drivers, and others; and the City looked great, given all the projects occurring. Mr. Sullivan, Executive Director, Memorial Tournament, indicated that the Tournament appreciates the City's support.
5. Reminded everyone of the Town Hall meetings scheduled tomorrow at 10 a.m. and 7 p.m. at the Abbey Theater, DCRC. The topics are transportation and construction updates, safety information and a Bridge Street update.
6. Noted he will be out of town the remainder of the week and Ms. Crandall will serve as acting City Manager.

## COUNCIL COMMITTEE REPORTS

Mr. Reiner, Community Development Chair inquired if staff will be providing a report regarding the request for a Code change to accommodate keeping chickens in residential zoning districts. Once the staff research is completed, the Committee will meet to review and discuss the matter.

Ms. Readler responded that staff is conducting the research and will provide a report in the July 1 Council meeting packet. During this exploration of options regarding a potential Code amendment, no active enforcement is occurring.

Mr. Lecklider stated that he is not aware how many of these situations exist in Dublin, but the community should not have heightened expectations about the outcome of the review process.

Ms. Readler stated that staff is currently benchmarking and gathering information. Staff would not encourage anyone to acquire poultry in anticipation of a Code change.

Mr. Peterson, Council liaison to the Dublin Board of Education stated that there will be a Board meeting on Wednesday, June 17.

Ms. Chinnici-Zuercher, MORPC Regional Policy Roundtable Chair reported that there will be a MORPC meeting this week.

Mr. Lecklider, US 33 Corridor Representative reported Council packets included a draft memorandum of agreement and an informative cover memo from Mr. McDaniel. He, Mr. McDaniel and Engineering staff have been attending these monthly meetings. Each of the respective legislative bodies are considering this document. The purpose is summarized

well in both the Mission Statement and the Goals. The goal is economic development cooperation, infrastructure and planning coordination and collaboration. There have been past efforts in this regard, which other Council members have been involved in; however, he believes there is an unprecedented spirit of cooperation among the various jurisdictions at this point in time.

Mayor Keenan stated that it is important for Council members to review this information and provide feedback. This initiative is finally making headway.

Ms. Chinnici-Zuercher stated that she appreciates receiving the information. The only concern she has is with the term "resource sharing." This needs to be clearly defined.

**COUNCIL ROUNDTABLE**

Ms. Salay stated:

1. Much of the signage identifying trees in the Red Trabue arboretum is no longer in place. Could these be replaced? She recalls this was an Eagle Scout project.

Mr. Hahn responded that this is currently in process. The old signs and the missing signs are being replaced with new signs.

2. Thanked staff for the attention regarding the Dublin Road South shared use path. She met with the Llewellyn Farms HOA members, who are very eager to have the remainder of this path completed. They were disappointed to learn it would not be constructed this year, which had been the plan. The report indicates that staff is considering bidding the project. When will that decision be made?

Ms. O'Callaghan responded that staff has committed to identifying any opportunity that may exist as the year progresses. Traffic counts are occurring to see what impact all the construction in that area has on Dublin Road. They have also put together some maintenance of traffic options to understand the cost differences and project feasibility. Staff will have a recommendation within the next few weeks.

Ms. Salay stated that she appreciates that.

3. She is not aware if any other Council members have utilized the Police Community Impact Unit with regard to neighborhood traffic. She has experienced a couple of situations, which she has brought to Chief von Eckartsberg's attention. He has asked his officers to respond, and they have done a great job of working with the residents, monitoring situations and taking corrective actions.

Ms. Chinnici-Zuercher stated that a couple of weeks ago, Council members received information regarding the "Preventing Tobacco Addiction 21" initiative from Dr. Rob Crane. As has been reported in the news, Upper Arlington and Bexley, and perhaps some other suburban communities, are currently considering this legislation. She would like to have this subject discussed by the appropriate committee and a recommendation made to Council.

Ms. Salay concurred that Council should look into this initiative.

After brief discussion, Council referred the initiative to the Administrative Committee for study and recommendation.

Mr. Lecklider thanked all of staff who were involved with supporting the Memorial Tournament last week.

Vice Mayor Gerber encouraged Council members who are interested to sign up for the Citizen Police Academy. He and Ms. Chinnici-Zuercher have participated in the program, which is excellent. He encourages other members to do the same.

Mayor Keenan commented:

1. He continues to hear from Crossgate residents regarding the issues related to the Tournament. It is important to remain engaged with their issues, including storage and particulate issues. Mr. Sullivan has promised to become involved, as well. Mr. Sullivan noted that he anticipates the fence will be removed by July 1.
2. Congratulations to Ms. Puskarcik and staff who recently received four Prism awards for their communications.

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

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3. There have been many activities recently that various Council Members and the City Manager have participated in. These include:
- A breakfast event in honor of Hideki Matsuyama at the Muirfield Pavilion.
  - A meeting with a Taiko Drum group at Davis Middle School, who will be traveling to Japan to perform with their counterparts.
  - Memorial Day ceremonies at the Grounds of Remembrance in Dublin Veterans Park.
  - Ceremonies at the Abbey Theater, renaming U.S. Post office branches in Dublin in honor of Captain Nicholas Rozanski and Lance Corporal Wesley Davids. Congressman Tiberi, Representative Duffey, representatives from the National Guard, the U.S. Post Office and two generals attended.
  - The Four-Miler Race, which was held just prior to the Tournament with over 2,500 runners. He added that his daughter, Kate, placed first in the female division!
  - The CBS event held in conjunction with the Tournament at the Muirfield Pavilion.
  - An International Festival and Events Association dinner with the Deputy Fire Chief of Kansas City.
  - A meeting tonight with Boy Scout Ben Katz, who is working on his citizenship badge.
4. He reminded everyone that the Blue Star Memorial Garden dedication will take place on Sunday, June 14 at 2 p.m. at the Dublin Cemetery.

**ADJOURNMENT**

The meeting was adjourned at 9:45 p.m.

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Mayor – Presiding Officer

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Clerk of Council